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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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Mary L. Henze
Executive Director
Federal Regulatory Affairs

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November 2, 2000

Ms. Magalie Roman Salas
Secretary, Federal Communications Commission
445 12th Street, SW, TW-A325
Washington, DC 20554

Re: CC Dkt. 96-115, Telecommunications Carriers' Use of Customer Proprietary Network and Other Customer Information; CC Dkt. 96-98, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; CC Dkt. 99-273, Provision of Directory Listing Information Under the Telecommunications Act

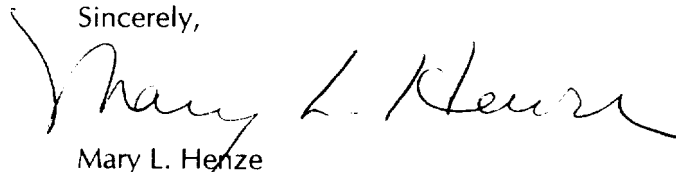
Dear Ms. Salas:

On Wednesday, November 1, the undersigned and Ben Almond of BellSouth and Susan Goodson of SBC met, in separate meetings, with Anna Gomez (Office of Chairman Kennard), Rebecca Benyon (Office of Commissioner Furchtgott-Roth), Kyle Dixon (Office of Commissioner Powell), and Deena Shetler (Office of Commissioner Tristani). Participating via conference call were Sidney White and Dan Fancher of BellSouth and Jan Rogers of SBC. The purpose of the meeting was to discuss the pricing of Directory Listing Services.

Directory assistance listings are a competitive wholesale service and should have market based pricing. Support for this position can be found in the UNE Remand Order and in Section 251(b)(3) of the Telecom Act. Additional support can be found in FCC approved 271 filings and state approved interconnection contracts. Material covered in the meeting is attached.

This notice is being filed pursuant to Sec. 1.1206(b)(2) of the Commission's rules. If you have any questions concerning this filing, please do not hesitate to contact me.

Sincerely,



Mary L. Henze

cc: A. Gomez
R. Benyon
K. Dixon
D. Shetler

Directory Assistance Listing Pricing

FCC Ex Parte Presentation November 1, 2000

DA Listing prices should be market-based

- UNE Remand Order: OA, DA, DA listings are competitive services
- LEC's obligations to provide DA listings exists under Section 251(b)(3)
- No obligation to provide at cost-based prices
- DA listings are not telecommunication services; Section 201 not applicable

DA Listing should be market-based

- UNE Remand Order Paragraph 473:
 - when a service is no longer a UNE “it would be counterproductive to mandate that the incumbent offers the element at forward-looking prices. Rather, the market price should prevail, as opposed to a regulated rate which at best, is designed to reflect the pricing of a competitive market.”

DA Listing should be market-based

- FCC's Texas 271 Order paragraph 348:
LECs' obligations that do not fall under UNE requirement are not subject to the requirement that rates be based on forward-looking costs.

DA Listing should be market-based

- FCC approved SWBT's Texas 271-compliant interconnection agreement (T2A) with market-based DA listing prices.
- Oklahoma and Kansas commissions approved market-based pricing in 271-compliant interconnection agreements.
- Market-based pricing rates are in hundreds of SWBT interconnection agreements approved by state commissions since 1996.

DA listings should be utilized for voice DA service

- LECs' obligations are for wholesale DA listings per Section 251(b)(3) of the Act.
- DA listings use restrictions reflect parity with LECs' own use of DA listings.
- Customer's name, address and telephone number information used for other purposes (Internet, printed directories, etc.) can be negotiated under a separate agreement.

DA listings should be utilized for voice DA service

- LEC's obligation to provide name, address and telephone number to directory publishers is contained in Section 222(e) of the Act. This obligation is separate from the 251(b)(3) obligation to provide OS, DA and DA listings to competing carriers.
- FCC and Congress acknowledged different uses for customer information and should be treated separately.

Direct access to DA database vs. DA listings in bulk

- CLECs and toll carriers can access LEC's DA database on a query-by-query basis under 251(b)(3) of the Act.
- Listings obtained in bulk, with daily updates allow competing DA operators to access listing information in their own database.

DA listings in bulk with daily updates at market based pricing

- DA listings are competitive services and should be priced to best address the market
- Parties should be free to negotiate their own agreements
- Usage of DA listings purchased in bulk is on the “honor system;” thus inappropriate

DA Listing prices should be market-based

- DA listings are competitive wholesale services
- LEC's obligations to provide DA listings exists under Section 251(b)(3), not 251(c)(3)
- No obligation to provide at cost-based prices